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TRANSMITTAL OF APPEAL BRIEF (Large Entity)

Docket No. END920050118US1

In Re Application Of: **Thomas Breymeier et al.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09/764,044	01/17/2001	Dustin Nguyen	26502	2154	5682

Invention: **CONFIGURABLE DISPLAY OF WEB SITE CONTENT**

COMMISSIONER FOR PATENTS:

Transmitted herewith is the Appeal Brief in this application, with respect to the Notice of Appeal filed on:
06/06/2006

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Dated: June 7, 2006

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application:	:	Group Art Unit: 2154
Thomas Breymeier et al.	:	Examiner: Dustin Nguyen
Serial No.: 09/764,044	:	IBM Corporation
Filed: 01/17/2001	:	Intellectual Property Law
Title: CONFIGURABLE DISPLAY OF	:	Department IQ0A/040-3
WEB SITE CONTENT	:	1701 North Street
	:	Endicott, NY 13760

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

APPEAL BRIEF

I. Real Party in Interest

International Business Machines Corporation is the real party in interest.

II. Related Appeals and Interferences

There are no related appeals or interferences.

III. Status of Claims

Claims 1-18 were previously canceled.

Claims 20-23 were previously canceled.

Claims 19 and 24-32 are Pending and Finally Rejected .

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Claims 24-26 are Appealed.

IV. Status of Amendments

There were no Amendments filed after Final Rejection.

V. Summary of Claimed Subject Matter

Support for each of the claim elements is indicated in brackets, i.e. [ ].

Claim 24 recites a method for generating a web page. A form document which indicates locations of data entries within the web page is generated. [Figure 3 is an example of a form document. In this example, the form document lists "Column1" and "Column2" as possible data entry fields and specifies their locations in a markup language. See Page 3 lines 30-31.] A configuration document which indicates which of the data entries should be displayed on the web page is generated. [Figure 2 is an example of a configuration document. In this example, the configuration document indicates that only one data entry column should be displayed. See Page 3 lines 29-30.] There are more data entries indicated by the form document than indicated by the configuration document to be displayed on the web page. [The form document of Figure 3 illustrates two possible data entry columns - Column1 and Column2, whereas the configuration document of Figure 2 selects only one data entry column.] A data document which indicates the data entries is generated. [Figure 4 is an example of a data document. In this example, the data entries for Column1 comprise the article titles, their respective dates of authorship and their respective authors. See Page 4 lines 1-3.] Upon request by a user via a web browser to display the web page based on the form document, the data document and the configuration document, the form document is configured in accordance with the configuration document, and the data entries from the data document are entered into the respective indicated locations in the configured form document

to generate the web page. [Figure 5 is an example of the resultant web page, based on the configuration document of Figure 2, the form document of Figure 3 and the data document of Figure 4. See Page 4 lines 3-4. The web page includes data entries only for the Column1 field as indicated by the configuration document for display on the web page. These data entries are spread across 100% of the data field as indicated in the form document.] The web page does not include data entries indicated by the form document but not indicated by the configuration document for display on the web page. [The web page of Figure 5 does not include any data entries for the "Column2" field even though the Column2 data entry field is listed in the form document because the Column2 data entry field is not specified in the configuration document.] The web page is displayed. [Figure 5]

Subsequently, the configuration document is changed without changing the form document or the data document, to change which of the data entries should be displayed on the web page. [Figure 6 is an example of the changed configuration document. The number of selected columns has been changed to "2". See Page 4 lines 5-10.] Upon request by a user via a web browser to display a web page based on the form document, the data document and the changed configuration document, the form document is configured in accordance with the changed configuration document. [Figure 7 is an example of the changed document. There are now data entries for both Column1 and Column2 fields, side-by-side. The Column1 data is now in the left column and the Column2 data is now in the right column. See Page 4 lines 5-10.] The data entries from the data document are entered into the respective indicated locations in the form document configured based on the changed configuration document to generate a web page based on the changed configuration document. [Figure 7 is an example of the changed document. There are now data entries for both Column1 and Column2 fields, side-by-side. The Column1 data is now in the left column and the Column2 data is now in the right column. See Page 4 lines 5-10.] The web page based on the changed configuration document is displayed. [Figure 7]

VI. Grounds of Rejection to be Reviewed on Appeal

Claims 24-26 were rejected under 35 USC 112, first paragraph, because the Examiner asserted that the last two paragraphs of claim 24 lacked support in the specification.

Claims 24-26 were rejected under 35 USC 112, second paragraph, because of the recitation in claim 24 of "said web page including said data entries indicated by said configuration document for display on said web page, said web page not including data entries indicated by said form document but not indicated by said configuration document for display on said web page".

Claims 24-26 were rejected under 35 USC 102 based on Sugiarto.

VII. Argument

35 USC 112, First Paragraph Rejection

Support for the entirety of claim 24 is stated above in Section V. "Summary of Claimed Subject Matter", and need not be repeated here. Therefore, Applicants request that the rejection under 35 USC 112, first paragraph be reversed.

35 USC 112, Second Paragraph Rejection

Claims 24-26 were rejected under 35 USC 112, second paragraph, because of the recitation in claim 24 of "said web page including said data entries indicated by said configuration document for display on said web page, said web page not including data entries indicated by said form document but not indicated by said configuration document for display on said web page". This claim element is clear on its face. In the illustrated example, the web page of Figure 5 does not include data for the "Column2" data entry field. "Column2" is listed in the form document of Figure 3, but not illustrated in the web page of Figure 5 because the configuration document of Figure 2 selects only one data entry column. Therefore, Applicants request that the rejection under 35 USC 112, second paragraph be reversed.

35 USC 102 Rejection of Claims 24-25 based on Sugiarto

Claim 24 was rejected under 35 USC 102 based on Sugiarto.

Claim 24 recites generation of three separate documents that are required to form a web page, i.e. a form document, a configuration document and a data document:

"generating a form document which indicates locations of data entries within said web page;

generating a configuration document which indicates which of said data entries should be displayed on said web page, wherein there are more data entries indicated by said form document than indicated by said configuration document to be displayed on said web page;

generating a data document which indicates said data entries".

Sugiarto et al. disclose in Column 4 lines 35-53 a formatted web page illustrated in Figure 7 comprising portions of three different web pages illustrated in Figures 8-10. Sugiarto et al. also disclose in Column 4 lines 18-20 that "each system user may generate any number of configuration files, each of which is stored in database server 8. Each of these configuration files specifies what information the user would like to retrieve and how retrieved information is to be formatted." Sugiarto et al. also disclose:

> "The layout and content of the formatted page having been determined according to the configuration file creation/editing operation which will now be described. Any configuration file assocaiated with a paraticular user may be created and/or edited by the user." Sugiarto et al. Column 4 lines 50-55.

> "If each of elements 1,2 ..n is selected, the actual picture of these elements is depicted in target screen 570. Additionally, in order to remove an element from target screen 570, a user may select one of the delete buttons 510 associated with that element. Thus, in this manner, a user may select various portions of one or more web sites in be included in the target screen 570. ... Finally, a user may save an edited configuration file by selecting save button 525." Sugiarto et al. Column 5 line 56 to Column 6 line 41

Thus, Sugiarto et al. disclose a different technique for defining the web page of Figure 7 than recited in claim 24. Sugiarto et al. do not disclose the combination of the form document, configuration document and data document of claim 24, or the relationship between the configuration document and form document as recited in claim 24. **In claim 24, there are more data entries indicated by the form document for possible display on the web page than indicated by the configuration document for actual display on the web page.** Sugiarto et al. do not disclose this. Sugiarto et al. do not disclose the details of how they form their resultant web page, and there is nothing to suggest the relationship of a form document to a configuration file as recited in claim 24 where there are more data entries indicated by the form document than indicated by the configuration document to be displayed on the web page. The advantage of such a form document is that it simplifies subsequent customizations for different resultant web pages.

Claim 24 also recites:

> "changing said configuration document, without changing said form document or said data document, to change which of said data entries should be displayed on said web page, and upon request by a user via a web browser to display a web page based on said form document, said data document and said changed configuration document, configuring said form document in accordance with said changed configuration document and entering said data entries from said data document into the respective indicated locations in the form document configured based on said changed configuration document to generate a web page based on said changed configuration document, and displaying said web page based on said changed configuration document."

Thus, according to claim 24, the location of the data entry fields are specified "up front" in the form document and re-used for different web pages, without having to be re-specified in each customized configuration document. This is not taught by Sugiarto et al. Sugiarto et al. create a web page by specifying the layout/format (and cutting and pasting from other web pages) to form a new web page.

The Examiner also cites column 9 lines 29-50 of Sugiarto et al. as teaching claim 24. However, column 9 lines 29-50 of Sugiarto et al. merely teach that a web page can include hyperlinks to other web pages. But this does not teach or even suggest the foregoing features of claim 24. The linked web pages of Sugiarto et al. are entirely different than the web page containing the links. Selection of a link in Sugiarto et al. does not modify the web page containing the link.

35 USC 102 Rejection of Claim 26 based on Sugiarto

Claim 26 depends on claim 24 and recites the additional steps of:

"upon request by a user via a web browser to display the first said web page based on said form document, said data document and said first configuration document, configuring said form document in accordance with said first configuration document and entering said data entries from said data document into the respective indicated locations in the configured form document to generate said first web page, said first web page including said data entries indicated by said first configuration document for display on said first web page, said first web page not including data entries indicated by said form document but not indicated by said first configuration document for display on said first web page, and displaying said first web page."

This step of claim 26 is performed after the orignal display of the first web page and after the display of the changed web page. Sugiarto et al. do not disclose this simplified technique for switching back and forth between web pages by selecting different configuration documents using a same form document and data document.

Based on the foregoing, Appellants request that the rejection of claims 24-26 under 35 USC 102 be reversed.

Respectfully submitted,

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VIII. APPENDIX OF CLAIMS INVOLVED IN APPEAL

24. A method of generating a web page, said method comprising the steps of:

generating a form document which indicates locations of data entries within said web page;

generating a configuration document which indicates which of said data entries should be displayed on said web page, wherein there are more data entries indicated by said form document than indicated by said configuration document to be displayed on said web page;

generating a data document which indicates said data entries;

upon request by a user via a web browser to display said web page based on said form document, said data document and said configuration document, configuring said form document in accordance with said configuration document and entering said data entries from said data document into the respective indicated locations in the configured form document to generate said web page, said web page including said data entries indicated by said configuration document for display on said web page, said web page not including data entries indicated by said form document but not indicated by said configuration document for display on said web page, and displaying said web page; and further comprising the subsequent steps of:

changing said configuration document, without changing said form document or said data document, to change which of said data entries should be displayed on said web page, and upon request by a user via a web browser to display a web page based on said form document, said data document and said changed configuration document, configuring said form document in accordance with said changed configuration document and entering said data entries from said data document into the respective indicated locations in the form

document configured based on said changed configuration document to generate a web page based on said changed configuration document, and displaying said web page based on said changed configuration document.

25. A method as set forth in claim 24 wherein there are a plurality of requests by users via a web browser to display the first said web page based on said form document, said data document and the first said configuration document, and in response to each of said requests, further comprising the steps of dynamically configuring said form document in accordance with said first configuration document and dynamically entering said data entries from said data document into the respective indicated locations in the configured form document to dynamically generate said first web page, and displaying said first web page, such that said first web page is generated dynamically from said form document, said first configuration document and said data document for each of said plurality of requests.

26. A method as set forth in claim 24 wherein the first said configuration document and said changed configuration document are retained and usable after said subsequent steps, and further comprising the later steps of:

upon request by a user via a web browser to display the first said web page based on said form document, said data document and said first configuration document, configuring said form document in accordance with said first configuration document and entering said data entries from said data document into the respective indicated locations in the configured form document to generate said first web page, said first web page including said data entries indicated by said first configuration document for display on said first web page, said first web page not including data entries indicated by said form document but not indicated by said first configuration document for display on said first web page, and displaying said first web page.

IX Evidence Appendix

There is not evidence entered or relied upon in this Appeal.

X. Related Proceedings Appendix.

There are no related appeals or interferences, and therefore, no copies of decisions rendered by a court or the Board for a related appeal or interference.